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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 5384 of 2007

PETITIONER Khaliluddin S/o Shri Abdul Hafiz, Aged about 59 years, Occupation- Revenue Inspector at Dhamdha attached in Tahsil Office Dhamdha, Distt. Durg (C.G).

Versus

RESPONDENTS

1. State of Chhattisgarh, Through Secretary Department of Revenue, D.K.S. Bhawan, Raipur (C.G.)
2. Director, Land Records, Chhattisgarh Raipur (Chhattisgarh)
3. Collector Durg, District Durg (C.G.)
4. Kuber Das Manikpuri, Aged about 50 years, Occupation- Establishment Block Office of Collector (Land records branch) Durg, Distt. Durg (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Sudhir Verma, counsel for the petitioner.

Shri A.S. Kachhawaha, Govt. Advocate for the State, on advance copy.

ORAL ORDER
(17.09.2007)

SUNIL KUMAR SINHA, J.

Heard finally with the consent of the parties.

Learned counsel for the petitioner submits that the petitioner, who is working on the post of Revenue Inspector and is attached in Tahsil Office Dhamdha, Durg, has been attached/transferred from Land Records Branch, Durg to Land Records Branch, Kabirdham on 9.8.2007 (Annexure-P/1). Referring to Annexure-P/2, he submits that the date of birth of the petitioner is 02.12.1947 and he is due to retire on 31.12.2007. He also submits that since less than one year is left for retirement of the petitioner, the petitioner should not have been attached/transferred and his case is governed by the provisions of Clause-7 of the transfer policy dated 13th June, 2007.

Having heard learned counsel for the petitioner, having gone through the contents of writ petition and the contents of Clause-7 of the transfer policy dated 13th June, 2007, in the opinion of this Court, the ends of justice would be served, if the petitioner is directed to file a representation before the concerned authority and the concerned authority is directed to dispose of the same within the stipulated period granted by this Court, in view of Clause-7 of the transfer policy.

Accordingly, the petition is disposed of with a direction that if so advised, the petitioner may file a detailed representation before the concerned authority within a period of 3 weeks from today along with copy of this order and a copy of writ petition, raising his grievance and if such a representation is filed, the concerned authority shall dispose of the same as early as possible preferably within a period of two months from the date of receipt of the said representation, keeping in mind the provisions of Clause-7 of the said Policy.

It is further directed that in the meanwhile, the petitioner shall not be relieved from his present place of posting i.e. Dhamtha. Durg, he shall be allowed to continue there.

The petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

ARL